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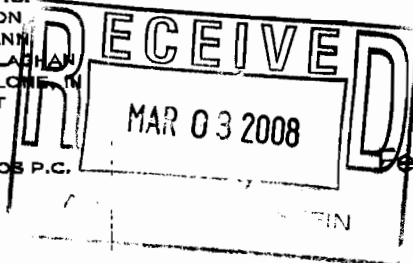
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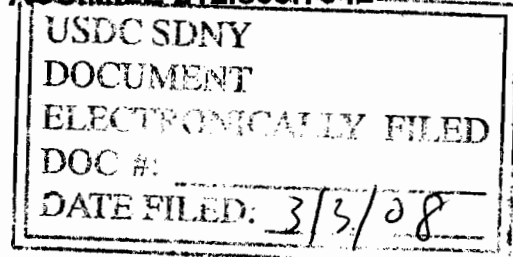
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February 29, 2008

BY FACSIMILE 212-805-7942



Hon. Alvin K. Hellerstein, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Express v. Clothing for Modern Times d/b/a Urban Behavior
07-Civ.-11410
Our File No. C703-156

Dear Judge Hellerstein:

We represent plaintiff in the above captioned civil action and write on behalf of both parties. We are pleased to report that the parties have reached an amicable resolution of the above matter. Counsel for defendants, Thomas W. Witherington, represents that his clients have executed a Final Judgment and Injunction on Consent, which we will file with the Court next week. Therefore, the parties hereby jointly request that the Court hold the matter in abeyance pending our filing and the Court's review and endorsement of the Final Judgment and Injunction on Consent, which will result in the termination of the case.

Respectfully submitted,

Frank J. Colucci

FJC/RPJ:km

cc: Thomas W. Witherington, Esq.

A suggestion of settlement having been made, this case is dismissed, subject to restoration by either party within 30 days on notice. All pending court dates are cancelled. The Clerk is directed to close the case.

Alvin K. Hellerstein, U.S.D.J.
Date: 3-3-08